

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALLEN JENNINGS SR.,	)	
	)	
Petitioner,	)	8:18CV436
	)	
v.	)	
	)	
STATE OF NEBRASKA,	)	ORDER
	)	
Respondent.	)	
_____	)	

This matter is before the court on Petitioner's Motion for Leave to Proceed in Forma Pauperis ("IFP"). (Filing No. 4.) Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). The court has reviewed the application to proceed IFP pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#). Petitioner's trust account information shows that Petitioner's account contained an average monthly balance of \$100 or more for the six-month period immediately preceding the filing of the petition. (Filing No. 5.) Further, Petitioner has already paid the \$5.00 filing fee.

IT IS THEREFORE ORDERED that:

1. Petitioner's request to proceed IFP (Filing No. 4) is denied.
2. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

DATED this 18<sup>th</sup> day of September, 2018.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge